

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

CHRISTOPHER SCARLETT,

Plaintiff,

v.

THE SCHOOL OF THE OZARKS, INC.

d/b/a COLLEGE OF THE OZARKS,

Defendant.

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No. 09-3324-CV-S-DGK

ORDER

Before the Court is Defendant's Motion to Strike Affidavits (doc. 65). Defendant moves to strike the affidavits of Aaron Schaffner, Christopher Scarlett, Angie Davis, and Linda Blunt on the grounds that they do not comply with Rule 56(e), which requires that affidavits supporting or opposing a motion for summary judgment be made on personal knowledge, be admissible, and show that the affiant is competent to testify on the subject matter.

Defendant's objections are varied and numerous with respect to individually numbered paragraphs in each affidavit. The Court has reviewed the affidavits and finds that Defendant's objections overwhelmingly go to the weight the affidavits should be given, not their admissibility. Although there are a few individual paragraphs that do not comply with Rule 56(e), the Court will simply not consider the information in these paragraphs in ruling on the pending motion for summary judgment.

The motion is DENIED.

IT IS SO ORDERED.

Date: January 24, 2011

/s/ Greg Kays

GREG KAYS, JUDGE

UNITED STATES DISTRICT COURT